

ESTTA Tracking number: **ESTTA333548**

Filing date: **02/22/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92051945
Party	Defendant RichRelevance, Inc.
Correspondence Address	RichRelevance, Inc. 275 Battery St., Suite 1150 San Francisco, CA 94111 UNITED STATES legal@edvert.net
Submission	Other Motions/Papers
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Signature	/Lori Weiss/
Date	02/22/2010
Attachments	RichRelevance Motion to Consolidate (Opp No 92051945).pdf (3 pages (101785 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Trademark Registration No. 3,471,575

Date of Registration: July 22, 2008

Mark: RICHRELEVANCE

ChoiceStream, Inc.

Petitioner,

v.

RichRelevance, Inc.,

Registrant.

Cancellation No. 92/051,945

MOTION TO CONSOLIDATE

Pursuant to Federal Rule of Civil Procedure 42(a) and TBMP § 511, Registrant RichRelevance, Inc. ("Registrant") hereby requests that the Trademark Trial and Appeal Board (the "Board") consolidate the following cancellation and opposition proceedings:

Proceeding No.	Mark/Reg./Serial No.	Registrant/Applicant	Petitioner/Opposer
Cancellation No. 92/051,945	RICHRELEVANCE 3,471,575	RichRelevance, Inc.	ChoiceStream, Inc.
Opposition No. 91/193,364	RICHRELEVANCE 77/745,840	RichRelevance, Inc.	ChoiceStream, Inc.

The foregoing proceedings involve common questions of law and fact and identical marks and parties. Likewise, Registrant's Answers to the Petition to Cancel and Notice of Opposition raise similar issues of fact and defenses, including a counterclaim to cancel ChoiceStream, Inc.'s Registration Nos. 3,378,178 and 3,657,301 for the mark REALRELEVANCE.

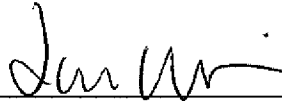
Consolidation of these proceedings will save the Board and the parties significant time, effort, and expense. For example, the parties could issue and answer one set of discovery

responses, produce a single set of documents, and take half as many depositions. This motion is sought for the purposes of judicial economy and not for reasons of delay.

Dated: New York, New York
February 22, 2010

Respectfully submitted,

Quinn Emanuel Urquhart Oliver & Hedges,
LLP

By: 

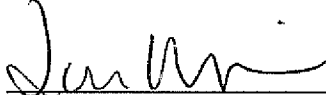
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ATTORNEYS FOR REGISTRANT
RICHRELEVANCE, INC.

CERTIFICATE OF SERVICE

I certify that on the 22nd day of February, 2010, I caused a true copy of Registrant RichRelevance, Inc.'s MOTION TO CONSOLIDATE to be served on Petitioner's attorney, Phil M. Tinsley, K&L Gates LLP, State Street Financial Center, One Lincoln Street, Boston, MA 02111-2950, via First Class mail.


Lori E. Weiss